

DENTAL BOARD[650]

Notice of Intended Action

**Proposing rule making related to overpayment
and providing an opportunity for public comment**

The Dental Board hereby proposes to amend Chapter 1, “Administration,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 147.76.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 147.80.

Purpose and Summary

The purpose of the proposed amendment is to update the definition of “overpayment” to more closely match the definition of “fee” in rule 650—15.2(147,153).

The current definition of “overpayment” indicates that overpayments of less than \$10 shall not be refunded. A recently adopted amendment to 650—Chapter 15 indicates that requests received with an overpayment shall be returned prior to processing. The definition of “fee” was updated following comments received from the Administrative Rules Review Committee. This proposed amendment would eliminate confusion about the process for handling overpayments.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Dental Board for a waiver of the discretionary provisions, if any, pursuant to 650—Chapter 7.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on April 24, 2018. Comments should be directed to:

Phil McCollum
Dental Board
400 S.W. Eighth Street, Suite D
Des Moines, Iowa 50309
Email: phil.mccollum@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

April 24, 2018
2 p.m.

Board Office, Suite D
400 S.W. Eighth Street
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend rule **650—1.1(153)**, definition of "Overpayment," as follows:

"Overpayment" means payment in excess of the required fee. Overpayment ~~of less than \$10 received by the board shall not be refunded~~ shall result in the return of the original request and payment, prior to processing, with a clarification of the total amount due.